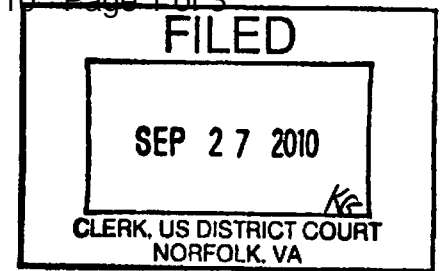


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA



CONTINENTAL TEVES, INC.,

Plaintiff,

- against -

VALLEY GROUP, INC., f/k/a VALLEY CRANE
& RIGGING, INC.

2:10 Civ. 2:10cv476

COMPLAINT

Defendant.

Plaintiff, by counsel, for its Complaint, alleges upon information and belief, as follows:

PARTIES AND JURISDICTION

1. Jurisdiction in this action is predicated upon 28 U.S.C. §1332(a)(1), as the matter in controversy exceeds \$75,000 and the parties are citizens of different states.

2. At all material times, CONTINENTAL TEVES, INC. (hereinafter "Continental") was and is a domestic corporation organized and existing by virtue of the laws of Delaware with its principal place of business located at 1 Continental Drive, Auburn Hills, MI 48326, and is the owner and shipper of a machine named "Weisser 5 #177056228" (hereinafter "Weiser 5"), intended for shipment from Virginia to Germany as more specifically described below.

3. Upon information and belief, VALLEY GROUP, INC., f/k/a VALLEY CRANE & RIGGING, INC. (hereinafter "Valley Crane") was and is a domestic corporation organized and existing by virtue of the laws of a Virginia with an office and place of business located at 77 Tinkling Springs Road, Fisherville, Virginia 22939, and was contracted to and charged with rigging the Weisser 5 in preparation for the transit to Germany.

4. Plaintiff brings this action on its own behalf and as agent and/or trustee on behalf of and for the interest of all parties who may or become interested, as their respective interests may ultimately appear, and Plaintiff is entitled to maintain this action.

RELEVANT FACTS

5. Valley Crane was hired by Continental to prepare the Weisser 5 for shipment from Culpeper, Virginia to Gifhorn, Germany.

6. On or about December 12, 2007, while at Continental's facility in Culpeper, Virginia, and engaged in the process of rigging the Weisser 5 machine for transport to Germany, personnel from Valley Crane lifted the Weisser 5, lost control of it, and dropped it. The Weisser 5 hit the floor and rolled to approximately 45 degrees.

7. The Weisser 5 was damaged as a result of the incident and had to be repaired at a cost of \$104,373.42.

8. The damage to the Weisser 5 was not the result of any act or omission of Plaintiff, but, to the contrary, was due solely as the result of the negligence, fault, neglect, breach of contract of carriage and breach of bailment by the defendant.

9. By reason of the foregoing, Plaintiff has sustained a loss which will be shown with specificity at trial, no part of which has been paid, although duly demanded.

WHEREFORE, Plaintiff prays:

1. The Court order, adjudge and decree that defendant, VALLEY GROUP, INC. f/k/a VALLEY CRANE & RIGGING, INC., be found liable and pay to Plaintiff the losses sustained herein, together with pre-judgment and post judgment interest thereon and their costs; and,

2. That this Court grant to Plaintiff such other and further relief as may be just and proper.

Dated: September 27, 2010

CONTINENTAL TEVES, INC.

By. 

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